

such remainder assessment and levies shall be paid to the county treasurer, who shall pay such tax moneys to the treasurer of state not later than fifteen days from the date the tax moneys are received by the county treasurer for deposit in the general fund of the state.

All municipal electric utilities which shall have taxable value apportioned under this section shall, annually on or before the first day of May of each calendar year, make a report listing the total operating meters of the municipal electric utility in each taxing district it serves as of the first day of January of each calendar year on forms provided by the department of revenue.

Approved June 16, 1981

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## CHAPTER 32

### DISASTERS OR OTHER EMERGENCIES

H. F. 782

AN ACT relating to the powers and duties of the governor and the energy policy council during a disaster or other emergency, to be effective upon publication.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 29C.2, Code 1981, is amended to read as follows:

#### 29C.2 DEFINITIONS.

1. "Disaster" means man-made ~~catastrophes~~ and natural occurrences such as fire, flood, drought, earthquake, tornado, windstorm, hazardous substance or nuclear power plant accident or incident, which threaten the public peace, health, and safety of the people or which damage and destroy public or private property. The term includes enemy attack, sabotage, or other hostile action from without the state.

2. "Public disorder" means such substantial interference with the public peace as to constitute a significant threat to the health and safety of the people or a significant threat to public or private property. The term includes insurrection, rioting, looting, and persistent violent civil disobedience.

Sec. 2. Section 29C.6, subsection 1, Code 1981, is amended to read as follows:

1. After finding a disaster exists or is ~~imminently~~ threatened, proclaim a state of disaster emergency. This proclamation shall be in writing, indicate the area affected and the facts upon which it is based, be signed by the governor, and be filed with the secretary of state. A state of disaster emergency shall continue for thirty days, unless sooner terminated or extended in writing by the governor. The general assembly may, by concurrent resolution, rescind this proclamation. If the general assembly is not in

session, the legislative council may, by majority vote, rescind this proclamation. Rescission shall be effective upon filing of the concurrent resolution or resolution of the legislative council with the secretary of state. A proclamation of disaster emergency shall activate the disaster response and recovery aspect of the state, local and interjurisdictional disaster emergency plans applicable to the political subdivision or area in question and be authority for the deployment and use of any forces to which the plan applies, and for use or distribution of any supplies, equipment, and materials and facilities assembled, stockpiled, or arranged to be made available.

Sec. 3. Chapter 93, Code 1981, is amended by adding the following new section as section 93.9:

NEW SECTION. 93.9 SET-ASIDE DEFINITIONS. As used in section 93.10 unless the context otherwise requires:

1. "Prime supplier" means an individual, trustee, agency, partnership, association, corporation, company, municipality, political subdivision, or other legal entity that makes the first sale of a liquid fossil fuel into the state distribution system for consumption within the state.

2. "Liquid fossil fuel" means heating oils, diesel oil, motor gasoline, propane, residual fuel oils, kerosene, and aviation fuels.

3. "Hardship" means a situation involving or potentially involving substantial discomfort or danger or economic dislocation caused by a shortage or distribution imbalance of a liquid fossil fuel.

Sec. 4. Chapter 93, Code 1981, is amended by adding the following new section as section 93.10:

NEW SECTION. 93.10 RESERVE REQUIRED.

1. If the council or the governor finds that an impending or actual shortage or distribution imbalance of liquid fossil fuels may cause hardship or pose a threat to the health and economic well-being of the people of the state or a significant segment of the state's population, the council or the governor may authorize the director to operate a liquid fossil fuel set-aside program as provided in subsection 2.

2. Upon authorization by the council or the governor the director may require a prime supplier to reserve a specified fraction of the prime supplier's projected total monthly release of liquid fossil fuel in Iowa. The director may release any or all of the fuel required to be reserved by a prime supplier to end-users or to distributors for release through normal retail distribution channels to retail customers. However, the specified fraction required to be reserved shall not exceed three percent for propane, aviation fuel and residual oil, and five percent for motor gasoline, heating oil, and diesel oil.

3. The council shall periodically review and may terminate the operation of a set-aside program authorized by the council under subsection 1 when the council finds that the conditions that prompted the authorization no longer exist. The governor shall periodically review and may terminate the operation of a set-aside program authorized by the governor under subsection 1 when the governor finds that the conditions that prompted the authorization no longer exist.

4. The director shall adopt rules to implement this section.

Sec. 5. This Act, being deemed of immediate importance, takes effect from and after its publication in the Urbandale News, a newspaper published in Urbandale, Iowa, and in The Boone News-Republican, a newspaper published in Boone, Iowa.

Approved June 2, 1981

I hereby certify that the foregoing Act, House File 782, was published in The Boone News-Republican, Boone, Iowa on July 1, 1981 and the Urbandale News, Urbandale, Iowa on June 11, 1981.

MARY JANE ODELL, *Secretary of State*

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CHAPTER 33  
VETERAN AFFAIRS  
H. F. 769

AN ACT relating to meetings and payment for service on county commissions of veteran affairs, changing certain benefits provided by the county commissions, and clarifying and correcting certain references.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 35A.2, subsections 3 and 7, Code 1981, are amended to read as follows:

3. Permanently maintain the records including certified records of bonus applications ~~concerning-the~~ for awards paid ~~pursuant-to-the-additional-bonus-and-disability-fund-and~~ from the war orphans educational fund under chapter 35, ~~and-awards-paid-pursuant-to-the-Vietnam-veterans-bonus-under-chapter~~ 35C, Code-1977.

7. Maintain ~~by-counties~~ alphabetically a permanent registry of the graves of all persons who served in the military or naval forces of the United States in time of war and whose mortal remains rest in Iowa.

Sec. 2. Section 250.1, Code 1981, is amended to read as follows:

250.1 TAX. A tax not exceeding twenty-seven cents per thousand dollars of assessed value may be levied by the board of supervisors upon all taxable property within the county, to be collected at the same time and in the same manner as other taxes, to create a veteran affairs fund for the benefit of, and to pay the funeral expenses of honorably discharged, indigent men and women of the United States who served in the military or naval forces of the United States in any war including World War I at any time between April 6, 1917, and November 11, 1918, both dates inclusive, World War II at any time between December 7, 1941, and December 31, 1946, both dates inclusive, the Korean Conflict at any time between June 25, 1950, and January 31, 1955, both dates inclusive, and including the Vietnam Conflict at any time between August 5, 1964, and ending May 7, 1975, both dates inclusive, and their indigent wives, widows spouses, surviving spouses and minor children not over eighteen years of age, having a legal residence in the county.